

**RECORDS MANAGEMENT COMMITTEE**  
City Clerk's Conference Room, 1st Floor, City Hall  
400 Stewart Avenue, Las Vegas, Nevada  
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>

**August 16, 2002**  
**1:30 p.m.**

CALL TO ORDER: City Clerk Ronemus called the meeting to order at 1:33 p.m.

ATTENDANCE: Barbara Jo (Roni) Ronemus, City Clerk  
Doug Selby, Acting City Manager (excused 2:02 p.m.)  
Steve Houchens, Deputy City Manager (arrived 1:35 p.m.)  
John Redlein, Assistant City Attorney (arrived 1:54 p.m.)  
Mark Vincent, Director, Finance & Business Services  
Joseph Marcella, Director, Information Technologies (excused 2:37 p.m.)  
Richard Goecke, Director, Public Works (excused 2:29 p.m.)  
Radford Snelding, City Auditor  
Sharon Kuhns, Records Administrator  
Donna Willey, Administrative Secretary

ANNOUNCEMENT MADE RE COMPLIANCE WITH THE OPEN MEETING LAW - Meeting noticed and posted at the following locations:

Las Vegas-Clark County Library District, 833 N. Las Vegas Boulevard  
Senior Citizens Center, 450 E. Bonanza Road  
Clark County Government Center, 500 S. Grand Central Pkwy  
Court Clerk's Bulletin Board, City Hall Plaza  
City Hall Plaza, Posting Bulletin Board

(1:33)  
**1-1**

BUSINESS:

A. APPROVAL OF FINAL MINUTES BY REFERENCE OF THE RECORDS MANAGEMENT COMMITTEE MEETING OF JUNE 14, 2002

**GOECKE - Motion to APPROVE – SNELDING seconded the motion – UNANIMOUS**

(1:33 – 1:34)  
**1-15**

**B. DISCUSSION AND POSSIBLE ACTION ON RECORDS DESTRUCTION AUTHORIZATION FORM**

**GOECKE - Motion to TABLE – REDLEIN seconded the motion – UNANIMOUS**

Chair Ronemus stated that this item has been discussed before, but only an interim form was implemented. A final form needs to be in effect once the records retention schedules are approved. The issue is the department director sign off. She reiterated the importance of the director sign off, as the director is responsible for the records contained in his/her department. There is a second review by the City Attorney and Records Administrator to protect the records delegates and directors.

Mr. Goecke stated that directors are held responsible for a lot of important issues without a sign off. It is Mr. Vincent's opinion that records should be destroyed in accordance with the schedule unless there is notification that a record should not be destroyed due to an audit, litigation, etc. Acting City Manager Selby stated that directors do not have time to go through all of the records scheduled for destruction. He/she will be counting on the records delegate for the correct information. He inquired about the penalty is for violating the records retention laws. Ms. Kuhns advised that it is a Class C Felony.

Ms. Kuhns advised the Committee that after receiving a destruction schedule from Neighborhood Services, she was able to stop the destruction of a file that was currently in litigation because the lawsuit came through the Clerk's office, she was able to identify it. The legal department did not notify Neighborhood Services. Mr. Vincent stated that if the record had been destroyed in compliance with the law, there would not be any violation of law. Deputy City Manager Houchens suggested that instead of a director sign off, the list should be distributed as a passive effort on behalf of the department. This process would allow everybody the chance to view it. Chair Ronemus agreed that that's a possibility.

Mr. Goecke stated that he strongly opposes the director sign off. Acting City Manager Selby brought to the attention of the Committee that it is not the director sign off that approves the destruction of the records, but the City Attorney and the Records Administrator. Chair Ronemus said that that's correct. The director sign off is certifying that the director has reviewed the list and knows what's being destroyed. Mr. Goecke acknowledged that guidelines should be published for records destruction, and if adopted by the City Council and the Records Management Committee, these would be the rules that we follow. Tracking is not necessary.

Chair Ronemus advised the Committee that there is a software program that will track the destruction dates. The lists should be as detailed as possible so when it comes up for destruction, it will be clear that the records to be destroyed are in line with the retention schedule. Mr. Goecke feels that this issue is being elevated to a higher level of importance. Mr. Vincent commented that the level of complexity put on directors would make them hesitate to sign off on anything. Chair Ronemus stated that the verbiage could be changed and the word "certify" removed.

Mr. Vincent asked if the law requires that a record of the records destroyed be kept. Assistant City Attorney Redlein stated that good record keeping practices would suggest that there be a record, but it's not required. The purpose of this form is not to generate a document that shows that the City no longer has a certain record, but so they don't shred early. Mr. Snelding agrees that there must be something in place for reasonable assurance. Deputy City Manager Houchens stated that if you go beyond what is required, you've created a higher standard. Mr. Marcella noted that the form is not just an authorization to destroy, but also an authorization of disposition. Chair Ronemus reminded the Committee that the records series title is what the retention schedules are grouped by. All documents fall under a series. You would not have to list each document individually.

Assistant City Attorney Redlein suggested that the signatures on the form should be the records custodian and the division manager. The division manager would know the retention on specific documents. Mr. Vincent reiterated that as long as it's two sets of eyes and not a certification. Mr. Goecke concurred. Ms. Kuhns stated that the attorney sign off should remain for the pending litigation aspect.

Mr. Goecke made a motion to kill it but it died due to lack of a second to the motion.

Mr. Snelding stated that you want to be sure that you're destroying a record that should be destroyed. There are three important things under this certification. First, if it meets the schedule, if it's under litigation, or if it's subject to a request under NRS. There must be assurance that those things are taken care of. He also stated that you do not want to get rid of records too soon or hold too long.

Chair Ronemus suggested that instead of certification, the custodian of records, the division supervisor and the Records Administrator signs the form. Assistant City Attorney Redlein stated that when the City is served with a lawsuit, service goes through the City Clerk's office. It is duplicated and sent to the Attorney for defense. There should be examination by the litigation team. They should send notices not to destroy those records. He also stated that to avoid records from piling up, there should be a resolution that says the lawsuit is settled so those records can be destroyed. Ms. Kuhns asked if the resolution had to go to Council. Assistant City Attorney Redlein said that his office could take care of that.

Ms. Kuhns advised the Committee that retention schedules are for all media, not just paper records. Electronic records must also be purged from the server, microfilm, microfiche, etc. A media column should be added to the form. Assistant City Attorney Redlein suggested revisiting this issue. Chair Ronemus suggested this item be tabled.

Mr. Marcella suggested the following revisions to the form to discuss at a later Records Management Committee meeting. He suggested that the document have a recognition, but not a certification. The director and Records Administrator sign off should exist for review and the Attorney's signature be eliminated. There should be a series of questions with boxes to check off.

C. DISCUSSION ON REVISIONS TO THE R145-2001 WITH MARK VINCENT

Mr. Vincent stated that the intent of this resolution was to give authority to the Mayor to delegate certain signature authorities. If the contract or modification were over \$25,000, it would still have to be approved by Council. This caused a lot of confusion in the Clerk's office. The resolution must be rewritten and it must also address contracts under \$25,000. Ms. Kuhns advised Mr. Vincent that there is a statute that requires the Clerk's attest to all signatures on all contracts or the contract is not valid. If the Clerk signs all of the documents, the Clerk should be the Office of Primary Responsibility. Mr. Vincent also stated that since he has to revise the resolution, he would also make reference that the City Clerk must attest all signatures.

Assistant City Attorney Redlein expressed concern over the attestation of all documents. Ms. Kuhns advised that this is cited under NRS 266.480 and the City Charter, Section 3.090 (Duties of the City Clerk). Assistant City Attorney Redlein advised the Committee that the City falls under NRS, Chapter 268. Mr. Vincent commented that the advantage to the Clerk's attest is that the documents are retained in one place. Chair Ronemus advised the Committee that executed contracts become part of the final minutes and minutes are permanent record. Therefore, space is becoming an issue. If they were added to the retention schedules, the originating department would be the office of primary responsibility. She stated that the reason for the attestation was to be sure the Clerk's office received a copy. Per Assistant City Attorney Redlein, the attestation is certification of the Mayor's signature only. There is no reason to attest to anyone else's signature. Mr. Houchens acknowledged that although the resolution needs to be amended, the desire might be for the Clerk's office to act as a central repository. Mr. Vincent suggested establishing a different threshold on the contracts.

It has been decided that this item be placed on the next Records Management Committee agenda so Mr. Goecke can be involved.

(2:29 – 3:01)

**1 – 2022**

D. DISCUSSION AND POSSIBLE ACTION ON THE REVISION TO OPR (OFFICE OF PRIMARY RESPONSIBILITY) LISTING

It has been decided that this item be placed on the next Records Management Committee agenda.

(3:01)

**1-2533**

E. REPORT AND UPDATE ON RECORDS STORAGE FACILITY SURVEY RESULTS

It has been decided that this item be placed on the next Records Management Committee agenda.

(3:01)

**1-3590**

F. INFORMATIONAL MATTERS FOR FUTURE RECORDS MANAGEMENT COMMITTEE  
AGENDAS

None.

(3:01)

**2-41**

CITIZENS PARTICIPATION:

None.

ADJOURNED:

**SNELDING - Motion to ADJOURN – VINCENT - seconded the motion – UNANIMOUS**

The meeting adjourned at 3:01 p.m.

/dw